

**REMARKS**

Claims 1-4, 18 and 19 are allowed. Claim 5 is amended. No new subject matter is added. Reconsideration of claims is respectfully requested in light of the above amendments and the following remarks.

***Claim Rejections, 35 USC § 102***

Claims 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,802,089 to Link (hereinafter, "Link 089"). The applicants disagree.

Claim 8 recites, *inter alia*, a first and second transistor connected to one of at least two inputs, a first current source connected to the first and second transistors and configured to generate a first amount of current, and a second current source connected to the second transistor and configured to generate a second amount of current.

Referring to Link 089, FIG. 3, it is alleged that the current sources IMOD and IBIAS correspond to the recited first and second current sources, respectively; that the transistors 308 and 306 correspond to the recited first and second transistors, respectively; and that the inputs IIN+ and IIN- correspond to the recited at least two inputs. Thus, the first current source IMOD generates a first amount of current (which may also be referred to as IMOD) and the second current source IBIAS generates a second amount of current (which may also be referred to as IBIAS).

Claim 8 also recites that the second amount of current and a third amount of current equal to the second amount of current minus the first amount of current is configured to be delivered to a device. Link 089 does not teach this feature of claim 8, for the following reason.

Referring to Link 089, FIG. 3, it is assumed that the laser 302 corresponds to the recited device. Link 089 controls the first and second transistors 308 and 306 simultaneously with the enable signal (column 5, lines 17-20). Thus, the current sources IBIAS and IMOD are either both on or both off. The laser 302 is biased by the current IBIAS (column 4, lines 51-52). *Additional* current IMOD is selectively provided to the laser 302 by alternately switching the transistors 306 and 308 (column 4, lines 53-59; emphasis added).

Contrary to claim 8, if IBIAS is the second current source that produces a second amount of current, then it is apparent that the second amount of current is not configured to be delivered to the device. This is because IBIAS will always be increased or decreased by an amount of current equal to IMOD, as will be explained below.

For purposes of the following discussion, the effect of the current source IDET will be ignored. When transistor 308 is turned off, then both current sources are connected to the circuit node between laser 302 and the current source and IBIAS, and the current supplied to the laser 302 is equal to IBIAS + IMOD (Kirchoff's Current Law). When transistor 306 is turned off, then the current source IMOD is connected directly to the circuit node on the other side of the laser 302 and the current supplied to LD is equal to IBIAS - IMOD (Kirchoff's Current Law). Thus, the amount of current supplied to the laser 302 is equal either to IBIAS + IMOD or IBIAS - IMOD.

For the above reason, Link 089 FIG. 3 fails to supply the device 302 with a current equal to the current produced by the alleged second current source IBIAS. Consequently, Link 089 fails to anticipate claim 8 because it does not teach the identical invention in as complete detail as is contained in the claim. MPEP 2131, *citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989).

Claims 9-15 inherently contain the feature of claim 8. Consequently, Link 089 also fails to anticipate these claims because it does not teach the identical invention in as complete detail as contained in the claims. MPEP 2131, *citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989).

### ***Claim Rejections, 35 USC § 103***

Claims 5-7, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Link 089, in view of U.S. Pat. No. 5,883,910 to Link (hereinafter, "Link 910") and U.S. Pat. No. 6,272,160 to Stronczer (hereinafter, "Stronczer"). The applicants disagree.

Claim 5 is amended to recite, *inter alia*, one of the at least two current sources is configured to generate a modulation current, and another one of the at least two current sources is configured to generate a current equal to the modulation current plus a bias current. These features are fully supported by the original application at, e.g., page 3, lines 3-10, and FIG. 1. Claim 5 is also amended for increased clarity. No new subject matter is added.

The current sources shown in Link 089 are configured to generate a bias current IBIAS and a modulation current IMOD (FIG. 3; column 4, lines 46-59). Link 910 does not disclose the above feature of claim 5. Stronczer does not disclose the above feature of claim 5. Consequently, the Link 089/Link 910/Stronczer combination fails to establish *prima facie* obviousness for claim 5 because the combination does not teach or suggest all the features recited in the claim. MPEP 2143.03.

Claims 6 and 7 depend from claim 5. Consequently, the Link 089/Link 910/Stronczer combination does not establish *prima facie* obvious for claims 6 and 7 because any claim that depends from a nonobvious independent claim is also nonobvious. MPEP 2143.03, *citing In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Claims 16 and 20 depend from claim 8. Claim 8 is not alleged to be obvious in view of the Link 089/Link 910/Stronczer combination, nor is it obvious in view of that combination. Consequently, the Link 089/Link 910/Stronczer combination does not establish *prima facie* obvious for claims 16 and 20 because any claim that depends from a nonobvious independent claim is also nonobvious. MPEP 2143.03, *citing In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

#### ***Allowable Subject Matter***

Claims 1-4, 18, and 19 are allowed.

It is indicated that claim 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, "set forth in this Office action." However, the applicants note that no rejection of claim 17 under 35 U.S.C. 112, second paragraph, is set forth in the current Office action.

Claim 17 depends from claim 8. It is believed that the rejections to claim 8 are removed. Consequently, claim 17 is no longer depends from a rejected base claim. Furthermore, claim 17 is amended to remove the "capable" term that was disputed in the previous office action. Thus, claim 17 is kept in dependent form at this time.

#### ***Conclusion***

For the foregoing reasons, reconsideration and allowance of claims 1-20 of the application as amended is requested. Please telephone the undersigned at (503) 222-3613 if it

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appears that an interview would be helpful in advancing the case.


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